

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

Criminal No. 20-cr-243 (JRT/HB)

v.

Joshoamei Deangelo Richardson (1),
James Brock Williams, Jr. (2),
Isaiah Stacy Alstad (3),
Jordan Sydney Shamah Rhodes (5),
Eric Troy Ballard, Jr. (6),

Defendants.

**ARRAIGNMENT ORDER
AS TO DEFENDANTS
RICHARDSON AND WILLIAMS
ON SUPERSEDING INDICTMENT
and
SCHEDULING ORDER AS
TO ALL DEFENDANTS**

An arraignment hearing on the Superseding Indictment (ECF No. 38) was held before the undersigned United States Magistrate Judge on January 8, 2021, as to defendants Joshoamei Deangelo Richardson (1) and James Brock Williams, Jr. (2). Defendant Joshoamei Deangelo Richardson was present in court with his attorney, Bruce Rivers, Esq. Defendant James Brock Williams, Jr. was present in court with his attorney, F. Clayton Tyler, Esq. The government was represented by Benjamin Bejar, Assistant United States Attorney. Both defendants agreed to proceed by video conferencing means.

Each defendant identified himself by name and age; waived the reading of the Superseding Indictment; and entered a plea of not guilty.

Defendants Isaiah Stacy Alstad (3) and Eric Troy Ballard, Jr. (6) were arraigned on December 18, 2020. Defendant Jordan Sydney Shamah Rhodes (5) was arraigned on December 28, 2020.

IT IS HEREBY ORDERED that the following schedule shall apply to all defendants named above:

1. The government shall make all disclosures required by Federal Rule of Criminal Procedure 16(a) by **January 15, 2021**. D. Minn. LR 12.1(a)(1). In order to avoid the need for a recess of the motions hearing, the government is requested to make, by **January 15, 2021**, all disclosures which will be required by Fed. R. Crim. P. 26.2 and 12(h).

2. Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence- that is, evidence that favors the defendant or casts doubt on the United States' case, as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and **ORDERS** the United States to do so. Failure to disclose exculpatory evidence in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court.

3. Defendant shall make all disclosures required by Federal Rule of Criminal Procedure 16(b) by **January 22, 2021**. D. Minn. LR 12.1(a)(2).

4. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **January 29, 2021**.¹ D. Minn. LR 12.1(c)(1).

5. **Counsel shall electronically file a letter on or before January 29, 2021, if no motions will be filed and there is no need for hearing.**

¹ "Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute." D. Minn. LR 12.1(b).

6. Each Defendant must file a consent that any evidentiary hearing on the motions may proceed by video means, or a notice that Defendant does not so consent, as soon as possible, but in any event no later than **January 29, 2021**. Any delay in filing the notice regarding consent could result in a postponement of the hearing.

7. All responses to motions and any Notice of Intent to Call Witnesses² shall be filed by **February 12, 2021**. D. Minn. LR 12.1(c)(2); D. Minn. LR. 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses³ shall be filed by **February 16, 2021**. D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The government makes timely disclosures and Defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response.

10. If required, **and if each Defendant consents to proceed by video means**, the motions hearing shall be heard before Magistrate Judge Hildy Bowbeer on **February 25, 2021**, at **1:00 p.m.**, by ZOOMGOV video technology. If any Defendant declines to proceed

² “When a party intends to call witnesses at a hearing on a motion under Fed. R. Crim. P. 12(b), the party must file a notice within 35 days after the arraignment. The notice must identify the number of witnesses whom the party intends to call, the motion or motions that each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(A).

³ “If after reviewing a notice under LR 12(c)(3), a party intends to call witnesses at the same hearing, that party must file a responsive notice within 38 days after the arraignment. The responsive party must identify the number of witnesses whom the party intends to call, the motion or motions each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(B).

by video technology, the parties will be provided with a hearing date by separate order.

D. Minn. LR 12.1(d).

11. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT,**

the following trial and trial-related dates are:

- i. All voir dire questions, jury instructions and motions in limine shall be submitted to Chief District Judge John R. Tunheim on or before **March 22, 2021**.
- ii. This case shall commence trial on **March 29, 2021**, at **9:00 a.m.** before Chief District Judge John R. Tunheim in Courtroom 15E, U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED**, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Chief District Judge John R. Tunheim to confirm the new trial date.

Dated: January 8, 2021

s/ Hildy Bowbeer

HILDY BOWBEER

United States Magistrate Judge